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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue
Seattle, Washington 98101

MAY 25 1993

Reply to
Attn of: HW-113

MEMORANDUM

SUBJECT: Review of the "Draft Notice of Intent to Delete" for Pesticide Lab (Yakima)

FROM: Sean Sheldrake
Assistant Project Manager

TO: Hugo P. Fleischman, Acting Chief
State Requirements Section

Attached please find the "Draft Notice of Intent to Delete" (NOID) for the Pesticide Lab site in Yakima, Washington. Please review this document and submit your comments. Once the NOID has been revised, a copy will be sent to headquarters simultaneously with the Federal Register publication.

If you have any questions or concerns, please call me at (206) 553-1220.

Attachment

40 CFR Part 300

[FRL- -]

National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List

Agency: Environmental Protection Agency

Action: Notice of Intent to Delete Pesticide Lab (Yakima) from the National Priorities List: Request for Comments.

SUMMARY: The Environmental Protection Agency (EPA) Region 10 announces its intent to delete the Pesticide Lab (Yakima) from the National Priorities List (NPL) and requests public comment on this proposed action. The NPL constitutes Appendix B to the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), which EPA promulgated pursuant to Section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, 42 U.S.C. Section 9605, as amended by the Superfund Amendments and Reauthorization Act of 1986, Public law Number 99-400 (CERCLA). EPA and the State of Washington Department of Ecology (Ecology) have determined that response actions have been carried out under the Resource Conservation and Recovery Act (RCRA), that the Site poses no significant threat to public health or the environment and, therefore, further remedial measures pursuant to CERCLA are not appropriate.

DATES: Comments concerning this Site may be submitted on or before [insert date thirty days after publication of this notice in the Federal Register].

ADDRESSES: Comments may be mailed to:

Sean Sheldrake, Environmental Protection Agency, 1200 6th Avenue, Mail Stop: HW-113, Seattle, Washington 98101.

Comprehensive information on this Site is available through the Region 10 public docket which is available for viewing at the Yakima Site information repositories at the following locations:

Washington Department of Ecology, Central Regional Office, attn. Michelle Slater, 106 South 6th Avenue, Yakima, Washington 98902.

United States Environmental Protection Agency, Region 10 Hazardous Waste Division - Records Center, attn: Lynn Williams, 1200 6th Avenue, Seattle, Washington 98101.

FOR FURTHER INFORMATION CONTACT: Sean Sheldrake, U.S. EPA Region 10, 1200 6th Avenue, Mail Stop: HW-113, Seattle Washington 98101, (206) 553-1220.

SUPPLEMENTARY INFORMATION:
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I. Introduction

The Environmental Protection Agency (EPA) Region 10 announces its intent to delete a site from the National Priorities List (NPL), Appendix B of the National Oil and Hazardous Substances Contingency Plan ("NCP"), 40 CFR Part 300, and requests comments on this deletion. EPA identifies sites on the NPL that appear to present a significant risk to human health or the environment. EPA has the discretion to use its authorities under CERCLA or RCRA, or to designate a state with remedial authorities to accomplish appropriate cleanup at sites listed on the NPL. As described in Section 300.425(e)(3) of the NCP, sites deleted from the NPL remain eligible for Fund-financed remedial actions in the unlikely event that conditions at the site warrant such actions.

EPA plans to delete the Pesticide Lab (Yakima) Site at 3706 West Nob Hill Boulevard, Yakima, Washington 98902 from the NPL.

EPA will accept comments on this Site for thirty days after publication of this notice in the Federal Register.

Section II of this notice explains the criteria for deleting sites from the NPL. Section III discusses procedures that EPA is using for this action. Section IV discusses the Pesticide Lab (Yakima) Site and explains how the Site meets the deletion criteria.

II. NPL Deletion Criteria

Section 300.425(e) of the NCP, 40 CFR section 300.425(e), provides that releases may be deleted from or recategorized on the NPL where no further response is appropriate. In making a determination to delete a release from the NPL, EPA shall consider, in consultation with the state, whether any of the following criteria have been met:

(i) Responsible parties or other persons have implemented all appropriate response actions required;
(ii) All appropriate Fund-financed response under CERCLA has been implemented, and no further action by responsible parties is appropriate, or

(iii) The remedial investigation has shown that the release poses no significant threat to public health or the environment and, therefore, taking of remedial measures is not appropriate.

Even if a site is deleted from the NPL, where hazardous substances, pollutants, or contaminants remain at the site above levels that allow for unlimited use and unrestricted exposure, EPA's policy is that a subsequent review of the site will be conducted at least every five years after the initiation of the remedial action at the site to ensure that the site remains protective of public health and the environment. In the case of this Site, where hazardous substances are not above health based levels and future access does not require restriction, operation and maintenance activities and five-year reviews will not be conducted. However, if new information becomes available which indicates a need for further action, EPA may initiate remedial actions. Whenever there is a significant release from a site deleted from the NPL, the site may be restored to the NPL without the application of the Hazard Ranking System.

III. Deletion Procedures

The following procedures were used for the intended deletion of this Site: (1) A notice was published in the local newspapers and distributed to appropriate federal, state and local officials and other interested parties announcing a 30-day public comment period on EPA's clean closure determination under RCRA and the proposed No Further Action decision under CERCLA (no public comments were received in opposition to EPA's findings); (2) EPA Region 10 believes that the remedial investigation showed that the releases at the Site pose no significant threat to public health of the environment and, therefore, EPA issued a No Further Action Record of Decision (ROD) after the public comment period ended; (3) Ecology has concurred with the ROD and the proposed deletion decision; and (4) all relevant documents have been made available for public review in the local Site information repositories.

Deletion of the Site from the NPL does not itself create, alter, or revoke any individual rights or obligations. The NPL is designed primarily for information purposes to assist Agency management. As mentioned in Section II of this Notice, 40 CFR 300.425(e)(3) states that deletion of a site from the NPL does not preclude eligibility for future Fund-financed response actions.

For deletion of this Site, EPA's Regional Office will accept and evaluate public comments on EPA's Notice of Intent to Delete before making a final decision to delete. The Agency will prepare a Responsiveness Summary where significant public comments are addressed.

A deletion occurs when the Regional Administrator places a final notice in the Federal Register. Generally, the NPL will reflect deletions in the final update following the Notice. Public notices and copies of the Responsiveness Summary will be made available to local residents by the Regional office.

IV. Basis for Intended Site Deletion

The following site summary provides the Agency's rationale for the intention to delete this Site from the NPL.

A. Site Characteristics

The Site listed on the NPL as the Pesticide Lab (Yakima) Site is located within the Yakima Agricultural Research Laboratory (YARL) in the City of Yakima, Yakima County, Washington. Approximately 50,000 people are located in Yakima. The Research Laboratory consists of numerous office and laboratory research buildings, warehouses, storage sheds, maintenance buildings and greenhouse/hothouse buildings occupying approximately 15% of an approximately 10 acre parcel in Yakima. The remaining acreage is used for cultivation of row crops and fruit trees. YARL is situated in a residential area within one-half mile of three schools, two hospitals and three shopping centers. The Site consists of a septic tank, disposal pipe, washdown pad and drainfield system used for the disposal of dilute pesticide compounds used at the YARL.

B. History

The research laboratory, originally an orchard, has been in operation since 1961. The primary activity at the laboratory involves the development of insect control technologies that benefit fruit and vegetable agriculture in the Pacific Northwest. Records indicate that the area was sprayed with various pesticide compounds including persistent chlorinated hydrocarbon pesticides such as DDT, Dieldrin, and Lindane. Workers at the laboratory used a modified septic and drainfield system to discharge dilute waste pesticide compounds. The system consisted of a 300 gallon concrete septic tank which drained a conventional toilet/sink and an outside concrete surface washdown pad. Tank effluent was discharged through a tile drain connected to a sink in a storage shed. Approximately 5,000 gallons of rinsate from equipment cleaning operations and less than 250 gallons of residual pesticide solutions were discharged into the system annually for about 20 years (from 1965 to 1985). Diluted pesticides known to have been introduced into the system with wastewater include but are not limited to Guthion, Sevin, Malathion, Parathion, Tetraethylpyrophosphate (TEPP), DDT, Temik, Methoxychlor, kelthane, Lindane, Captan, Cyprez and Benelate. Heavy metals, including lead arsenate, and pesticide concentrates were never

discharged to the septic tank/drainfield system. The unpermitted discharges resulted in investigations under RCRA and CERCLA at the YARL facility. There were concerns that pesticides and solvents had leached into the uppermost, shallow, drinking-water aquifer because of the presence of highly permeable sands and gravels.

YARL submitted a RCRA Part A permit application in September 1980 and received interim status. A preliminary assessment and site investigation (PA/SI) was conducted in June 1982. Field work for the PA/SI was limited to shallow soil sampling and a failed attempt to drill to groundwater. The PA/SI concluded that soil was contaminated due to discharges from the septic system and that groundwater contamination was likely, based on an assumed groundwater depth of 20 feet. (Later the correct depth was determined to be 35 feet). Based on the results of the PA/SI, the Site was proposed for the NPL in December 1982 and finalized on September 8, 1983 (48 FR 40658). The Site is currently on the NPL, based on the original 1982 Hazard Ranking Score of 29.33.

On June 2, 1988, a RCRA Facility Assessment (RFA) was completed which included a preliminary characterization of the conditions at the Site, identified additional work needed to fully characterize the Site, and described the results from a visual inspection. The RFA assessed exposure pathways that may be of concern given the nature of the releases at the Site and the substances released. Preliminary on-site sampling identified pesticides in septic tank water and the surrounding subsurface soil. The report concluded that the extent of groundwater and soil contamination could not be assessed without more information.

C. Characterization of Risk

Prior to remediation, the preliminary environmental pathways of concern related to the hazardous waste disposal system were groundwater, on-site soils and possibly surface water.

In 1988, YARL removed the drainfield, sampled soil within and outside the excavated drainfield area, sampled and gathered additional groundwater monitoring and sampling information from four monitoring wells and performed in-situ aquifer testing. Sampling was conducted for a lengthy list of primary and indicator parameters developed to determine groundwater quality and to monitor for the presence of the compounds believed to have been discharged through the septic tank/drainfield system.

The results of the study indicated that the groundwater was generally uncontaminated and that the likelihood for groundwater contamination, as a result of the hazardous waste disposal

activities, was very low at the Site. The study detected a variety of hazardous pesticides and carrier solvents in the tank sludge and drainfield. Based on these data, EPA decided that the Site was subject to the requirements for hazardous waste treatment, storage, and disposal (TSD) facilities, under RCRA.

B. Remedial Action Selected and Implemented Under RCRA

Based on the hazard ranking score and the initial groundwater data, clean closure pursuant to RCRA requirements for interim status facilities (40 CFR Part 265) was undertaken instead of initiating either a Subpart B application under RCRA or conducting a Remedial Investigation and Feasibility Study pursuant to CERCLA. This approach is consistent with Ecology's Model Toxics Control Act Cleanup Regulations.

An initial closure plan ("cleanup plan") for the septic tank and drainfield, including a monitoring plan for sampling and analyzing groundwater and soil, had been submitted by YARL to EPA in January 1985. Four groundwater monitoring wells were installed in April 1988 at the Site. With site risks further characterized, a final revised closure plan was submitted on September 12, 1989 for approval. The September 12, 1989 final draft Closure Plan was released for public comment in December 1989. No comments were received. The Closure Plan was approved on January 30, 1990. As required by the approved Closure Plan, three additional wells were drilled and completed by July 1990.

The principal elements of the Closure Plan focused on removing the potential sources of contamination through removal and disposal of the septic tank contents, excavation and removal of the septic tank itself, washdown pad removal, additional background soil sampling, excavation and removal of contaminated soil to obtain cleanup levels, confirmational soil sampling around the removed structures, installation of ground water monitoring wells and one year of groundwater sampling. Calculation of cleanup levels for contaminants at this Site were based on EPA's proposed RCRA Subpart S standards as described in 55 FR 30798, July 27, 1990. Where cleanup levels for specific contaminants were not identified, consistent with Subpart S, the Agency approved cleanup levels based on a cumulative noncarcinogenic risk estimate of less than 1.0 assuming daily intake and a lifetime incremental cancer risk of less than one in a million (within EPA's and Ecology's acceptable risk range for carcinogens).

Approximately 40 cubic yards of contaminated soil containing pesticides above the cleanup levels were removed from the former tank/pad area and disposed of at a permitted hazardous waste TSD facility. Two background samples taken during the initial closure phase (tank/pad removal) show low parts-per-billion

levels of pesticide residuals such as Dieldrin and DDT. These and similar substances are expected to be found in this area due to historical, legal application of pesticides totally unrelated to the former YARL septic disposal practices.

Confirmational analysis of samples of remaining soil has not detected significant concentrations of PCBs, volatile organics, semi-volatile organics or metals. Organophosphorus pesticides, identified in the tank contents, were not present in significant quantities in Site soils. Final confirmational soil sampling indicated that average DDT and Dieldrin concentrations were below cleanup levels, Endrin and Endosulfan were several orders of magnitude (100 to 1000 times) below cleanup levels, and other organochlorine pesticides were not detected.

Analytical data based on quarterly monitoring (45 valid samples in 5 quarters) indicate groundwater concentrations of DDT, Dieldrin and other regulated pesticides did not exceed health-based criteria or cleanup levels. No organic compounds were detected. Minor quantities of metals, including mercury, vanadium, and zinc, were detected below the maximum contaminant levels (MCLs) for drinking water.

Confirmational monitoring of soil and groundwater demonstrate that no significant risk to public health or the environment is posed by residual materials remaining at the site and operation and maintenance activities are not required at the Site. Based on the removal of contaminated equipment and excavation of contaminated soil, EPA and Ecology believe that hazardous substances have been removed from the Site so as to allow for unlimited use and unrestricted exposure within the Site, that the Site is protective of public health and the environment and no further remedial action is needed at the Site. Accordingly, EPA will not conduct "five-year reviews" at this Site.

No environmental risk has been identified for this Site. For example, no critical habitats or endangered species or habitats of endangered species have been identified for this Site.

One of the three criteria for deletion specifies that EPA may delete a site from the NPL if the "remedial investigation has shown that the release poses no significant threat to public health or the environment and, therefore, taking of remedial measures is not appropriate." EPA, with concurrence of Ecology, believes that this criterion for deletion has been met. The abbreviated Remedial Investigation and Record of Decision for the Site conclude that there is no significant threat to public health or the environment and therefore no further remedial action is necessary. Therefore, EPA is proposing deletion of this Site from the NPL. Documents supporting this action are available from the docket.

Dana A. Rasmussen,
Regional Administrator, Region 10

Date